

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Eric M. Sorenson, *also known as*, Cherrity
Honesty-Alexis Meranelli,

No. 21-cv-671 (KMM/DJF)

Plaintiff,

ORDER

v.

State of Minnesota, et al.,

Defendants.

The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge Dulce J. Foster, dated November 21, 2022. [Doc. 167]. In the R&R, Judge Foster recommends that the Defendants' motion for sanctions be granted in part and denied in part such that: (1) Plaintiff Cherrity Meranelli be precluded from offering into evidence any information in support of her claims that Defendants solicited from her and that she failed to produce in discovery; (2) Defendants' motion to dismiss the case with prejudice be denied; (3) Defendants' motion to strike the Complaint and Amended Complaints be denied; and Defendants' request for findings of fact be denied. No objections have been filed to that R&R in the time period permitted by either Ms. Meranelli or the Defendants.

The Court reviews de novo any portion of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). In the absence of objections, the Court reviews the R&R for clear error. *Nur v. Olmsted County*, 563 F. Supp. 3d 946, 949 (D.

Minn. 2021) (citing Fed. R. Civ. P. 72(b) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). Based on the Court's careful review of the R&R the Court finds no error.

Accordingly, IT IS HEREBY ORDERED that:

1. The Report and Recommendation [Doc. 167] is ACCEPTED;
2. Defendants' motion for discovery sanctions [Doc. 160] is GRANTED IN PART and DENIED IN PART as follows:
 - a. Plaintiff is precluded from offering into evidence any information in support of her claims that Defendants solicited from her and that she failed to produce in discovery;
 - b. Defendants' request for dismissal of the case with prejudice is DENIED;
 - c. Defendants' request to strike Plaintiff's Complaint and Amended Complaints is DENIED; and
 - d. Defendants' request for findings of fact is DENIED.

Date: **January 19, 2023**

s/ Katherine M. Menendez

Katherine M. Menendez
United States District Judge